

**Acton Board of Health**

**Minutes**

**February 27, 2006**

Members Present: William McInnis, Chairman, Joanne Bissetta, Member, Dr. Bill Taylor, Member and Philip Alvarez (Associate voting for Dr. Pam Harting-Barrat).

Staff Present: Sheryl Ball.

Others Present: Mary Michelman, Susan Kennedy, Jane Ceraso, Carol Holley, Tina Grosowsky and Judy Gaughan.

The meeting was called to order at 7:31 p.m.

**Minutes**

On a motion made by Mr. Alvarez, seconded by Dr. Taylor, the Board unanimously voted to accept the minutes of February 13, 2006 as amended.

**Public Hearing – Hazardous Materials Control Bylaw**

The Board opened the hearing regarding the proposed amendments to the Hazardous Materials Control Bylaw. The Board discussed the proposed changes in the wording made by the Environmental Fill Committee and Town Counsel's comments. The Board briefly discussed how drinking water sludge is classified as a Hazardous Waste. It was stated that it depends on how it is treated, what kind of oxidant goes into it before it is coagulated and then churned and filtered. Ms. Michelman stated that the Fill Committee discussed taking the drinking water sludge out of the definition of "Special Waste" but Town Counsel has recommended that it be specifically excluded in the definition. Dr. Taylor asked about other "new" wastes that may be developed and if they would be regulated. The Board stated that any potential new waste will be covered

under the Hazardous Waste definition. Mr. McInnis stated that if this change is approved at Town Meeting, this proposed bylaw will replace the existing bylaw but if the bylaw were not approved at Town Meeting the old bylaw would remain in place. On a motion made by Mr. Alvarez, seconded by Dr. Taylor, the Board unanimously voted to close the hearing and accept the changes made to the Hazardous Materials Control Bylaw as written based on no additional public comment.

### **Public Hearing – Tobacco Permit**

The Board opened the hearing regarding the proposed amendments to Tobacco Control Bylaw. The Board discussed deleting the current Tobacco Control Bylaw to ensure consistency with the State's regulation. The Board discussed the proposed changes and Mr. Alvarez presented the Board with some of his changes. The Board agreed that the existing Tobacco Control Bylaw should be deleted and replaced with a new Board of Health Regulation prior to Town Meeting. Ms. Grosowsky stated that she has presented the Board with a draft of that regulation. Ms. Gaughan stated that she would like to see the Board set a perimeter where smoking is not allowed around the school's property in the hopes that it will eliminate off-site school kid's smoking. Mr. McInnis stated that he is unclear if the Town could enforce this kind of regulation. Dr. Taylor asked if Nursing Home residents can smoke. It was stated that they may designate an area with separate ventilation if they so choose. On a motion made by Ms Bissetta, seconded by Dr. Taylor, the Board unanimously voted to close the hearing and approved the deletion of the Tobacco Control Bylaw -Chapter E, Section 26034 and Chapter E, Section 46-56 or take any other action hereto as we will have new Board of health regulation in place prior to Town Meeting based on no additional public comment.

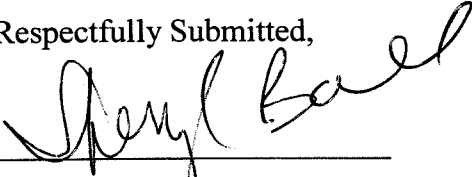
### **Other -**

-Bruce Stamski, Public Works Director has developed the protocols of the sampling mechanisms that he will be doing on the Big dig Fill. The Board asked to see the protocols and asked staff to give a copy to them.

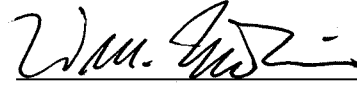
**Adjournment**

On a motion made by Dr. Taylor, seconded by Ms. Bissetta, the Board unanimously voted to adjourn the Board of Health meeting at 9:20 P.M.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Sheryl Ball", written over a horizontal line.

Sheryl Ball, Health Secretary  
Acton Board of Health

A handwritten signature in cursive script, appearing to read "William McInnis", written over a horizontal line.

William McInnis, Chairman  
Acton Board of Health